

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOSEPH WILBORN,

Plaintiff,

V.

No. 13-cv-70-JPG-PMF

DAVID EALEY, WILLIAM JOHNSON, ANDREW
BENNETT, JAMES LLOYD, SEAN HENRY, SEAN
STARKWEATHER, ANGELA WALTER, WILLIAM
REES, SHELBY DUNN, LAKEISHA HAMBY,
CHRISTOPHER PHEMISTER, RICKY
DAUGHERTY, DOUGLAS MASON, DEREK
RICHARDSON, CHRISTOPHER WEHRENBURG,
SHANE OSMAN and UNKNOWN SORT TEAM
DRIVERS/TAC TEAM MEMBERS/OTHER STAFF,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Joseph Wilborn (a/k/a Joseph Wilbourn) to amend his prior motion under Rule 59 (Doc. 335). As with his original motion, he challenges the Court's credibility determinations. He also presents arguments in support of his case, complains that the Court did not consider his sworn pleadings, and challenges the admission of his prior medical records and lawsuits.

The Court set forth in its May 3, 2016, order the standards applicable to Wilborn's request for relief. Nothing in Wilborn's new motion causes the Court to find he has met any of those standards. Furthermore, as to Wilborn's objections to evidence considered or not considered, the Court did consider Wilborn's pleadings in reaching its decision in this case, and did not consider Wilborn's prior substantive medical or litigation history (other than to find he was capable of representing himself). For these reasons, the Court **DENIES** Wilborn's motion to amend his Rule 59 motion (Doc. 335). The Court advises Wilborn that if he wishes to appeal this order, he must file a notice of appeal in this Court within 30 days of entry of this order, Fed.

R. App. P. 4(a)(1)(A), or within any extension of that deadline authorized by the Court, Fed. R.

App. P. 4(a)(5).

DATED: May 10, 2016
IT IS SO ORDERED.

s/ J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE